IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

Crl.Rev.Pet.No. 1481 of 2007()

CC.2889/2003 of JUDL. MAGISTRATE OF FIRST CLASS-I, KOCHI

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REVN. PETITIONER: COMPLAINANT IN CC NO.2889/03

M/S. WEST COAST AGENCIES, BASIN ROAD,
KOCHI-31, BY ITS MANAGING PARTNER, MR. GEORGE
VARGHESE, 33/2501 A, SREEKALA ROAD, KOCHI-31,
REP.BY HIS POWER OF ATTORNEY HOLDER MR. MATHEW
JOSEPH, AGED 42, S/O. K.M.JOSEPH, ACCOUNTANT,M/S.
WEST COAST AGENCIES, BASIN ROAD, KOCHI-31.

BY ADV. SRI.P.GOPAKUMARAN NAIR
SRI.C.S.DIAS
SRI.AJITH MURALI

RESPONDENT:

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SMT.LATHA THANKAPPAN

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 10/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.1481 of 2007

Dated this the 10th day of April, 2007

O R D E R

The revision petitioner is the complainant who had initiated proceedings under Section 138 of the Negotiable Instruments Act. The same stands dismissed under Section 204(4) of the Code of Criminal Procedure. It is submitted that on account of the wrong noting of the posting date, the counsel could not be present on the particular day.

2. In the circumstances, the order of the court below is set aside. The court below is directed to permit the petitioner to further pursue the matter. Revision petitioner shall appear before the Judicial First Class Magistrate Court- I, Kochi on 26.4.2007.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl